

WEST OXFORDSHIRE DISTRICT COUNCIL

Record of a meeting of the **LICENSING PANEL**
Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxon
at 10.00am on Tuesday 3 May 2016

PRESENT

Councillors: Mr N A MacRae MBE (Chairman); Mr M A Barrett and Mr R A Langridge

I. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – SOLDIERS OF OXFORDSHIRE TRUST, HARRISONS LANE, WOODSTOCK

The Chairman of the Panel welcomed those present to the meeting. Mr MacRae then set out the procedure by which the hearing would operate.

In response to a question from the Chairman, the Museum Director, Ms Ursula Corcoran, confirmed that the application had been properly advertised and registered her intention to address the Panel.

There were no objectors present, nor had any Responsible Authorities registered a wish to address the meeting.

The Ward Member, Mr J C Cooper, was also in attendance as an observer but did not participate in the meeting.

The Chairman explained the order of business for the meeting. He advised that the Panel Members were familiar with the written representations submitted and requested those addressing the Panel to highlight any specific points they wished to raise, which should relate to the Licensing Objectives.

Mr MacRae explained that new evidence could only be considered with the consent of all parties present and asked if any further such evidence was to be introduced. There was no new evidence presented and no questions were raised regarding the procedure by which the meeting would operate.

Mr MacRae advised that he had visited the museum on a number of occasions on official business in his capacity as Chairman of the Council. It was confirmed that this did not preclude his participation in the determination of the application and Mr MacRae indicated that he would do so having regard solely to matters relevant to the licensing objectives.

The Council's Licensing Officer presented the report outlining the application and advised that an objection had been received from the Town Council, together with a further letter of objection signed by nine local residents.

The Council's Legal Adviser then reminded all present of the Licensing Objectives and the need to assess applications on a case by case basis. Whilst acknowledging that each application was to be considered on its own merits, the Chairman questioned whether the assertion made by objectors that the hours sought exceeded those of other licensed premises in Woodstock was correct.

In response, the Licensing Officer confirmed that there were a number of other licensed premises in the town holding licences with permitted hours of operation in excess of those sought by the current application. The Chairman also enquired why a separate licence from that held by the Oxfordshire Museum was required and it was explained that the application had been submitted in respect of stand-alone premises but that it was for the Licensing Panel to determine permitted hours of operation in light of the application details.

Ms Corcoran then addressed the Panel in support of the application.

She indicated that the core business of the Trust was the operation of the museum but that it had also held a number of events both as fundraising events and for external organisations and wished to have the ability to sell alcohol at such events rather than to rely on donations.

Ms Corcoran advised that previous events had taken place using the rear of the Oxfordshire Museum's garden. As the hours of use and access were controlled and monitored by the Oxfordshire Museum, a mechanism was already in place to ensure that future events did not give rise to problems. She confirmed that, whilst the application sought permission to open seven days a week, this was simply to give flexibility and it was not the intention to do so. Ms Corcoran explained that, whilst the museum had a meeting room capable of holding some 60 guests, this was not available for general hire as such use would be incompatible with the museum's core business and operation. It was likely that Monday evenings would be the favoured occasions for fundraising events but that the application sought to secure the flexibility to accommodate appropriate external requests.

In response to questions from the Chairman, Ms Corcoran advised that the museum currently held monthly friends lectures with perhaps one other event every other month. She noted that the concerns expressed by objectors appeared to be based on a fear that the core purpose of the Trust would change and offered an assurance that this was not the intent. The operation of the museum was centred around community engagement, families and education and the Trust had no intention to move away from that focus. There was no wish to utilise the Harrisons Lane entrance to the site as this did not offer a good visitor experience. Ms Corcoran advised that, whilst discussion regarding to the possibility of formulating a joint programme had taken place with the Oxfordshire Museum, it had not been possible to reach an agreement as each organisation operated independently.

In response to questions from Mr Langridge, Ms Corcoran advised that the museum held children's parties and had hosted an anniversary party which had been a private event connected to the Regimental Association. However, she could not recall having received any enquiries about holding or hosting parties for adults and the museum was not really in a position to do so.

In relation to minimising noise and disturbance arising from events held in the garden, Ms Corcoran advised that, on previous occasions, volunteers and the museum's staff had monitored the perimeter of the site to ensure that noise levels were kept within acceptable limits. She reiterated that the use of the garden area was controlled by the Oxfordshire Museum and explained that there had been occasions when it had chosen not to permit events compatible with the Soldiers of Oxfordshire Museum's objectives (such as a performance by a local youth group commemorating the First World War). Accordingly, the Trust wanted to have the ability to support such events independently. Ms Corcoran also advised that it was not intended to play loud music at events as this would not be apposite to either the museum's client base or purpose.

In relation to staffing levels, Ms Corcoran advised that she was an experienced licence holder, having held a licence for 22 years, and attended all events. All Deputy Managers received full training in areas such as risk assessment and fire safety and all front of house staff were also appropriately trained. A Deputy Manager was always present at weekends.

In response to a question from Mr Barrett, Ms Corcoran advised that events held on the lower terrace would be some 400 to 600 yards from the nearest residential properties on Harrison's Lane and confirmed that the site was surrounded by high walls that would ameliorate any noise nuisance.

The Council's Legal Adviser indicated that many of the concerns expressed by objectors were based upon fear and speculation and reminded Members that a decision had to be evidence based. However, if the Panel was minded to approve the application, whilst the grant of a licence offered the freedom to hold events, it also imposed the responsibility to operate these appropriately as, should difficulties arise, interested parties had the opportunity to call for a review of the licence.

The Panel then retired to consider the application and submissions made at the hearing.

Having considered the report and the submissions made at the meeting in relation to the licensing objectives and the Council's Statement of Licensing Policy and Guidance, the Panel

RESOLVED: That a premises licence be granted for the activities, days and hours sought in the application and as set out in the operating schedule.

The hearing closed at 10:25am